



Listening Learning Leading



# Licensing Act 2003 - Guidance for Applicants and Licence Holders

## Contents

Introduction.....	2
Licensable Activities.....	2
The Licensing Objectives.....	4
What types of licence are available? .....	4
Premises Licences .....	4
Club Premises Certificates.....	4
Temporary Event Notices.....	5
Provisional Statements .....	6
Personal Licences.....	6
How to apply for a Premises Licence or Club Premises Certificate .....	7
Operating Schedule.....	7
Changes to Licences.....	7
Minor Variations .....	7
Plans.....	8
Serving the application on responsible authorities .....	9
Application Fees.....	11
Advertising the application .....	12
What happens after the application has been submitted?.....	12
Annual Fees .....	13
Model Conditions.....	13
Part A - Conditions Relating to the Prevention of Crime and Disorder.....	14
Part B - Conditions Relating to Public Safety.....	17
Part C - Conditions Relating to the Prevention of Public Nuisance .....	19
Part D - Conditions Relating to the Protection of Children from Harm .....	21

## Contact Details

Licensing Team Vale of White Horse District Council	Licensing Team South Oxfordshire District Council
01235 422556	
<a href="mailto:licensing.unit@whitehorsedc.gov.uk">licensing.unit@whitehorsedc.gov.uk</a>	<a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a>
<a href="http://www.whitehorsedc.gov.uk/licensing">www.whitehorsedc.gov.uk/licensing</a>	<a href="http://www.southoxon.gov.uk/licensing">www.southoxon.gov.uk/licensing</a>

## Introduction

This document is intended to offer guidance to applicants. The Licensing Team are also able to provide advice on applications, or you may choose to employ a solicitor or similar to advise and/or assist you.

Whilst care has been taken to ensure that the information contained within this document is correct at the time of publication, we cannot be held liable for any errors. Please note that changes in legislation and guidance after the time of publication may impact on the accuracy of this information.

Each council has a Statement of Licensing Policy, which is available on the councils' websites. You may also wish to refer to [www.gov.uk/guidance/beer-licensing](http://www.gov.uk/guidance/beer-licensing) and the Guidance issued under section 182 of the Licensing Act 2003 which can be found at [www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003](http://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003)

## Licensable Activities

Activities which are licensable under the Licensing Act 2003 are as follows:

- Sale by retail of alcohol (or supply of alcohol in a club)
- Provision of late night refreshment: the sale of hot food or hot drink between 23:00 and 05:00
- Regulated entertainment is defined as one or more of the following, **but please see the below sections which provide details of various exemptions:**
  - i) a performance of a play
  - ii) an exhibition of a film
  - iii) an indoor sporting event
  - iv) a boxing or wrestling entertainment
  - v) a performance of live music
  - vi) any playing of recorded music
  - vii) a performance of dance
  - viii) entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

The consumption of alcohol is not licensable. So an event at which people bring along their own alcohol doesn't require a licence. However, if the cost of an event ticket includes a glass of wine etc, or if alcohol is supplied as part of a service (e.g. a hairdresser providing customers with a glass of wine, or a takeaway providing a bottle of beer with a pizza) then an authorisation will be required.

Entertainment is only regulated entertainment where it takes place in the presence of an audience and is provided, at least partly, to entertain that audience. Entertainment at events that are held in private is not licensable unless those attending (i.e. the guests) are charged with a view to making a profit (including raising money for charity).

Exemptions for entertainment licensing apply to:

- Entertainment at a place of religious worship or for the purposes of a religious meeting or service
- Garden fetes (unless the event is promoted for private gain)
- Education, rehearsals, advertisements and demonstration of products
- Live simultaneous television or radio broadcasts
- Music which is incidental to another activity
- Film which is incidental to another non-licensable activity or playing as part of a museum exhibit
- Morris dancing
- Any activities carried on at premises which are permanently or temporarily occupied for the purposes of the armed forces of the Crown.

The following activities are not licensable **when they take place between 08:00 and 23:00 on any day:**

- A performance of a play with an audience of no more than 500 people
- An indoor sporting event with an audience of no more than 1000 people
- A performance of dance with an audience of no more than 500 people
- Live music, where the live music comprises:
  - i) A performance of unamplified live music
  - ii) A performance of amplified live music in a workplace with an audience of no more than 500 people [workplace is any premises which are not domestic premises and are made available to any person as a place of work]
  - iii) A performance of amplified live music on licensed premises (open for the sale of alcohol for consumption on the premises) with an audience of no more than 500 people [unless specific conditions have been added following a review of the premises licence or club premises certificate]
  - iv) A performance of amplified live music in a church hall, village hall, community hall, or other similar community premises, that is not covered by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500 people, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - v) a performance of amplified live music at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500 people, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Playing of recorded music as follows:
  - i) Any playing of recorded music between on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
  - ii) Any playing of recorded music in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500 people, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - iii) Any playing of recorded music at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500 people, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises provided that the audience does not exceed 500 people and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Any entertainment (excluding films and boxing/wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- Greco-Roman and Freestyle wrestling provided it takes place within a building, the audience does not exceed 1000 people and they are accommodated wholly inside the building.

In addition, the provision of regulated entertainment by or on behalf of local authorities, health care providers, or schools on their own premises will be exempt from entertainment licensing between 08:00 and 23:00 on the same day, with no audience limit.

## **The Licensing Objectives**

The role of the councils and licence holders is to promote the licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance, and
- The protection of children from harm.

## **What types of licence are available?**

Premises licences, club premises certificates and temporary event notices can authorise licensable activities at any premises, which can include open spaces and temporary structures as well as buildings or parts of buildings. Premises licences which authorise the sale of alcohol also require a 'Designated Premises Supervisor' who must hold a personal licence.

## **Premises Licences**

A premises licence application can be made by an individual, several individuals, a company or organisation, or other prescribed persons such as individuals acting as representatives for a company or individual. A 'premises' means any place and can include a defined area, a building, part of building, a vessel, vehicle or temporary structure.

The application for a premises licence is usually made by the owner of the business or the committee or organisation responsible for the building. If the premises are leased, the freeholder has a right to inform the licensing authority of their interest in the premises and register to be notified of any applications and other matters that may affect the licence.

Premises licences which authorise the sale of alcohol also require a Designated Premises Supervisor ('DPS') to be nominated who must hold a personal licence, unless they are a community premises and have successfully applied for the condition that there must be a DPS to be removed from their licence.

## **Club Premises Certificates**

A 'qualifying club' can apply for a club premises certificate for any premises occupied and used regularly for club purposes. There are general conditions the club must satisfy, including the following:

- The club is established and conducted in good faith
- The club has at least 25 members
- A person may not be given membership or access to membership privileges without an interval of at least two days from their membership application/nomination and membership being granted
- Alcohol is only supplied to members on the premises by or on behalf of the club
- Alcohol purchases and supplies for the club may only be carried out by members of the club who are over 18 years of age and are elected to do so by the members
- No person at the expense of the club receives any commission, percentage or other similar payment in regard to the purchase of alcohol by the club and there are no arrangements for anyone to receive a financial benefit from supplying alcohol, apart from any benefit to the club or to any person indirectly from the supply giving a gain from running the club

A qualifying club applying for a club premises certificate does not need a personal licence holder identified as a DPS as there is no sale of alcohol by retail taking place. Alcohol may be bought for the club by the members and the money being passed across the bar is to maintain equity between members. The club should ensure there is a clear policy within the club rule book in respect of guests. Clubs should carefully consider whether they should apply for a club premises certificate and/or a premises licence.

As committee members in clubs change from time to time please ensure that the Licensing Team are notified of any changes, in particular changes to the role of Chairman, Secretary or Treasurer.

## **Temporary Event Notices**

Temporary Event Notices (TENs) may be given in respect of licensable activities at unlicensed premises, or at premises which already have a premises licence or club premises certificate to cover licensable activities not permitted by the existing authorisation and/or remove existing premises licence conditions.

A temporary event notice may only be given by an individual and not by an organisation, club or business. The individual giving the notice is the 'premises user'. 'Premises' means any place and can include, for example, a recreation ground or park. For outdoor events in particular, a clear description of the area where licensable activities will be carried on should be provided. The premises user is required to give details of the nature of the event, for example a wedding with a pay bar and disco, or the sale of alcohol at a farmers' market. Details of the times during which the premises user intends to carry out licensable activities must also be provided.

There are prescribed limits on TENs including the number of TENs per premises per calendar year (15), the maximum total duration of the periods authorised by TENs in relation to individual premises (21 days per calendar year), the maximum length of time a TEN may have effect (168 hours or 7 days) and the maximum number of people attending at any one time (499 persons which includes staff, organisers, stewards and performers). There has to be a gap of at least 24 hours in between TENs at the same premises.

### **How do I submit a temporary event notice?**

TENs can be submitted electronically, including online payment, using the link on the councils' websites. If a temporary event notice is submitted electronically, the council will send the TEN to Thames Valley Police and Environmental Protection on behalf of the premises user.

Alternatively, a TEN form is also available to download and print from the same link. The premises user should submit one copy of the notice and the fee (£21) to the Licensing Team at the address on the front cover of this document, a copy to Environmental Protection at the same address and a copy to Licensing, Thames Valley Police Headquarters (South), Kidlington, OX5 2NX. If the TEN is not submitted to Licensing, EP and the Police then it will be deemed invalid until it has been properly served.

Where the premises is situated in two council areas, TENs must be submitted to each of the licensing authorities identified, together with the appropriate fee, and copies served on both Environmental Protection teams and police forces.

**Standard TENs** must be served on all 3 authorities at least 10 clear working days before the event (this the date of the event). **Late TENs** must be served on all 3 authorities between 5 and 9 clear working days before the event (this does not include the date of the event). Any TEN given less than 5 clear working days before the date of the event will be void and the activities to which it relates will not be authorised.

Where the TEN is in order, the relevant fee paid and the event falls within the prescribed limits, the council will record the notice and send an acknowledgement letter to the premises user.

The Police and EP have a period of three working days from when the notice was given to the authority to object to it on the basis of any of the four licensing objectives.

If an objection is received to a standard TEN, the premises user will be contacted to discuss options, including modification of the TEN, imposition of existing licence conditions if the TEN is for an event at a licensed premises or a Panel hearing to consider the objection notice. If an objection is received to a late TEN, the event will be immediately vetoed. There is no provision for a hearing nor is there a facility to appeal against the decision. There is also no refund of the £21 fee if the TEN is refused or withdrawn.

## **Provisional Statements**

An individual or business who has an interest in a premises or who is considering purchasing a premises and want to be sure that they would be able to obtain a premises licence before they spend large sums of money may choose to apply for a provisional statement. The application process for a provisional statement is the same as for a premises licence and under normal circumstances, a premises licence application will eventually follow on from the grant of a provisional statement; if the applicant intends to go ahead with the proposal. As all relevant parties will have the opportunity to make representations on an application for a provisional statement, they will normally be restricted from making representations when an application is eventually made for a premises licence.

## **Personal Licences**

A personal licence permits an individual to authorise the sale of alcohol from a premises that is suitably licensed for the purposes of selling alcohol by retail. A personal licence holder may give consent to become a designated premises supervisor ('DPS') for a licensed premises where the activity of sale of alcohol is authorised.

Personal licences are not required in qualifying club situations, and for premises licences which do not authorise the sale of alcohol. Applications must be made to the authority in the area in which the applicant normally resides, and the licence holder should notify the original licensing authority of any changes of name or address. From 1 April 2015 it is no longer necessary to renew a personal licence. Any licences with an expiry date after 1 April 2015, or that bear no expiry date, shall remain valid indefinitely.

Applicants must be over the age of 18, and must prove that they have sufficient knowledge of licensing law and the social consequences of the sale of alcohol by providing a licensing qualification. Details of appropriate qualifications can be found on the application form.

Applicants must submit the following in order for the application to be deemed as valid:

- Application form
- Original licensing qualification certificate
- Fee of £37
- Two passport photographs
- A criminal conviction certificate/criminal record certificate or the results of a subject access search of the police national computer by the National Intelligence Service – this document must be dated within the last month.
- A completed disclosure of criminal convictions and declaration form (available on the councils' website)

NB One of the passport photographs should be endorsed as a true likeness of the applicant by a solicitor or notary, a person of standing in the community or any individual with a professional qualification, worded as follows: 'I confirm that this is a true likeness of (name of applicant)'. It should be followed by signature, printed name and date of signing.

Basic criminal record checks can be obtained from the Disclosure and Barring Service. For further details see [www.gov.uk/request-copy-criminal-record](http://www.gov.uk/request-copy-criminal-record)

Providing that the applicant has not had any relevant convictions as detailed in Schedule 4 of the Licensing Act 2003 ([www.legislation.gov.uk/ukpga/2003/17/schedule/4](http://www.legislation.gov.uk/ukpga/2003/17/schedule/4)), and has not, at any point, had to pay an immigration penalty, there are unlikely to be any problems with the grant of a personal licence.

## **How to apply for a Premises Licence or Club Premises Certificate**

For new premises licence or club premises certificate, or variation applications, we suggest you contact the Licensing Team, ideally by email (see the front of this document) for advice on the options available to you. The team can also provide application forms in Word format, details of fees, and guidance on how to apply. The team can also carry out consultation with the responsible authorities on draft applications and provide guidance on matters which should be considered prior to submission of the full application.

Towards the end of each application form there is a section confirming the items that are required to be submitted with each application. Please ensure everything is included with your application otherwise it will be deemed invalid.

We would recommend that you submit the application through our portal, or by email. If you post the application, we recommend you send it by tracked post.

## **Operating Schedule**

Within the application for a new premises licence or club premises certificate, the applicant must submit an 'operating schedule' which should outline what activities are proposed, when the activities will take place, how the activities will be managed and the opening hours of the premises.

One of the most critical parts of the operating schedule is the section where the applicant describes the steps they intend to take to promote the four licensing objectives. The relevant council's Statement of Licensing Policy should be used as a guide to the matters that are expected to be addressed in the operating schedule for each licensing objective. It is accepted that the proposed steps will be dependent on the individual style and characteristics of the premises and/or activities to be held. The applicant should carefully consider what they include in this section as the steps may become a condition of the licence or certificate. Applicants may choose to volunteer conditions from the pool of model conditions found towards the end of this document as the steps they will take to promote the licensing objectives.

## **Changes to Licences**

There are certain circumstances that will require the licence holder to make an application to change their licence, for example the following:

- Variation of a premises licence or club premises certificate
- Minor variation of a premises licence or club premises certificate
- Variation of designated premises supervisor
- Transfer of a premises licence
- Request to be removed as designated premises supervisor
- Notification of change of name or address

Application forms are available on the councils' websites.

## **Minor Variations**

The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives. It is suggested this process be used for changes such as:

- small changes to the structure or layout of a premises;
- small changes to licensing hours (but see below on changes that relate to the sale or supply of alcohol);
- revisions, removals and additions of conditions (this could include the removal or amendment of out of date, irrelevant or unenforceable conditions, or the addition of volunteered conditions).

The minor variations process cannot be used to:

- add the sale or supply of alcohol as a licensed activity
- extend licensing hours for the sale or supply of alcohol at any time between 23:00 and 07:00
- increase the amount of time on any day during which alcohol may be sold or supplied

- extend the period for which a premises licence or club premises certificate has effect
- transfer a premises licence or club premises certificate from one premises to another, or vary substantially the premises to which it relates
- specify an individual as DPS on a premises licence (there is a separate process for this), or
- disapply the mandatory conditions relating to the requirement for a DPS at a community premises (there is a separate process by which a community premises can apply for this).

If you wish to make a change to your licence which is not appropriate for the minor variations process, you will need to make a full application to vary the premises licence.

## **Plans**

The plan of the premises shall be of 1:100 scale (unless otherwise agreed with the Licensing Team) and should include the following details to ensure the Fire Authority can assess the fire precautionary measures:

- The location and extent of the boundary of the building, if relevant, and any external and internal walls which comprise the premises, or in which the premises is comprised;
- The size of the licensed area (in square metres)
- The location of exits and escape routes from the premises, showing clear exit widths of doors, passageways, staircases
- The locations in the premises to be used for licensable activity and in the case of an application where the premises is to be used for more than one licensable activity, the location for each activity;
- In a case where the application relates to the sale or supply of alcohol, the location or locations on the premises which is or are to be used for the consumption of alcohol;
- Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- The location and type of any fire safety and other safety equipment; including fire exit signage, fire detectors, fire alarm call points and indicator panel
- The location of a kitchen, if any on the premises.
- Area covered by escape lighting.
- Key to plan symbols used (a copy of the key to plan symbols as used, and preferred, by the Fire Authority is available from the Fire Authority on request).

## **Standards required in respect of fire safety matters, where relevant to the application:**

- 1) Doors, partitions and glazing required to be fire resisting are to be in accordance with BS 476, as amended.
- 2) Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with BS 476, Section 31.1, be fitted with a smoke seal.
- 3) The fire alarm system is to comply with BS 5839, Part 1. The attention of the Design/Installing Engineer should be drawn to paragraph 4.3 (consultation and records) of BS 5839, Part 1, which requires consultation with the Fire Authority.
- 4) The emergency lighting installation is to comply with BS 5266, Part 1. The attention of the Design/Installing Engineer should be drawn to paragraph 3.1 (consultation and records) of BS 5266, Part 1, which require consultation with the Fire Authority.
- 5) Fire safety related signs and notices are to conform to current British Standards.
- 6) Illuminated "EXIT" signs are to conform to BS 5499, Parts 1 & 3.
- 7) Fire fighting equipment is to comply with BS EN3 1-6, BS 7863, BS 7867 and BS 5306.
- 8) Upholstered seating furniture must satisfy, as a minimum standard, ignition source 0 (cigarette test) and Crib Ignition source 5 as specified in BS 5852,
- 9) Curtains and other textile hangings must be inherently flame retardant or be treated with a durable flame retardant. They must be capable of complying with the "Type B" performance requirements of BS 5867, Part 2 – "Specification for Fabrics for Curtains and Drapes – Flammability Requirements".
- 10) Artificial foliage and other decorative effects are to be fire retardant to the satisfaction of the Fire Authority.



- 11) Linings and surface finishes of walls and ceilings should have a surface spread of flame rating as defined in the current Building Regulations.
- 12) Certificates of Installation Test will be required in respect of items numbered 3, 4, 6, 8 and 9 above and may be required for item 2.

Note: Any reference to a British Standard (BS) should be taken to include the equivalent European Standard if relevant. The most recent revisions of these standards apply.

For advice on fire risk assessments, please see [www.oxfordshire.gov.uk/residents/fire-and-public-safety/fire-and-rescue-service/fire-safety-advice/advice-businesses](http://www.oxfordshire.gov.uk/residents/fire-and-public-safety/fire-and-rescue-service/fire-safety-advice/advice-businesses)

### **Serving the application on responsible authorities**

**For new premises licence and club premises certificate applications, and provisional statements,** the Licensing team should be sent one copy of the application form with the plan and fee to the address on the front cover of this document. Copies of the form and plan should also be sent to the responsible authorities as per the relevant table below. If the application is served electronically, the licensing authority will circulate it to the responsible authorities. If the application is served in hard copy, the responsibility for this falls to the applicant.

**For variation applications,** other than minor variations, the form and original licence should be sent to the Licensing Team with the fee and copied to all responsible authorities. The plan should be included if the variation relates to the plan of the premises.

**For minor variations,** the form and original licence should be sent to the Licensing Team with the fee. The plan should be included if the variation relates to the plan of the premises.

In addition, **applications for transfer of premises licences, variations of DPS and interim authority notices** must be copied to Thames Valley Police at the below address.

### **South Oxfordshire District Council - Responsible Authorities**

Licensing Team South Oxfordshire District Council Abbey House Abbey Close Abingdon OX14 3JE Email: <a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a>	Licensing Officer Thames Valley Police Headquarters (South) KIDLINGTON OX5 2NX Email: <a href="mailto:licensing@thamesvalley.pnn.police.uk">licensing@thamesvalley.pnn.police.uk</a>
Environmental Protection Team South Oxfordshire District Council Abbey House Abbey Close Abingdon OX14 3JE Email: <a href="mailto:env.health@southandvale.gov.uk">env.health@southandvale.gov.uk</a>	Planning South Oxfordshire District Council Abbey House Abbey Close Abingdon OX14 3JE Email: <a href="mailto:planning@southoxon.gov.uk">planning@southoxon.gov.uk</a>
Home Office Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY Email: <a href="mailto:alcohol@homeoffice.gsi.gov.uk">alcohol@homeoffice.gsi.gov.uk</a>	Oxfordshire Trading Standards Service Graham Hill House Electric Avenue Ferry Hinksey Road Oxford OX2 0BY Email: <a href="mailto:trading.standards@oxfordshire.gov.uk">trading.standards@oxfordshire.gov.uk</a>

Oxfordshire Fire & Rescue Service HQ Sterling Road Kidlington OX5 2DU  Email: fire.service@oxfordshire.gov.uk	Oxfordshire Safeguarding Children Board Oxfordshire County Council County Hall - 3 <sup>rd</sup> Floor Oxford OX1 1ND  Email: oscb@oxfordshire.gov.uk
Director of Public Health Oxfordshire County Council County Hall Oxford OX1 1ND  Email: publichealthlicensing@oxfordshire.gov.uk	
And either:  For non-council operated premises:	or:  For council operated premises
Food & Safety Team South Oxfordshire District Council Abbey House Abbey Close Abingdon OX14 3JE  Email: env.health@southandvale.gov.uk	The Health and Safety Executive Priestley House Priestley Road Basingstoke RG24 7NW

### **Vale of White Horse District Council - Responsible Authorities**

Licensing Team Vale of White Horse District Council Abbey House Abbey Close Abingdon OX14 3JE  Email: licensing.unit@whitehorsedc.gov.uk	Licensing Officer Thames Valley Police Headquarters (South) KIDLINGTON OX5 2NX  Email: licensing@thamesvalley.pnn.police.uk
Environmental Protection Team Vale of White Horse District Council Abbey House Abbey Close Abingdon OX14 3JE  Email: env.health@southandvale.gov.uk	Planning Vale of White Horse District Council Abbey House Abbey Close Abingdon OX14 3JE  Email: planning@whitehorsedc.gov.uk
Home Office Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY  Email: alcohol@homeoffice.gsi.gov.uk	Oxfordshire Trading Standards Service Graham Hill House Electric Avenue Ferry Hinksey Road Oxford OX2 0BY  Email: trading.standards@oxfordshire.gov.uk
Oxfordshire Fire & Rescue Service HQ Sterling Road Kidlington OX5 2DU  Email: fire.service@oxfordshire.gov.uk	Oxfordshire Safeguarding Children Board Oxfordshire County Council County Hall - 3 <sup>rd</sup> Floor Oxford OX1 1ND  Email: oscb@oxfordshire.gov.uk

Director of Public Health Oxfordshire County Council County Hall Oxford OX1 1ND  Email: <a href="mailto:publichealthlicensing@oxfordshire.gov.uk">publichealthlicensing@oxfordshire.gov.uk</a>	
And either:  For non-council operated premises:	or:  For council operated premises
Food & Safety Team South Oxfordshire District Council Abbey House Abbey Close Abingdon OX14 3JE  Email: <a href="mailto:env.health@southandvale.gov.uk">env.health@southandvale.gov.uk</a>	The Health and Safety Executive Priestley House Priestley Road Basingstoke RG24 7NW

### **Application Fees**

Fees for all Licensing Act 2003 authorisations have been set by central government. The fees are based on the non-domestic rateable value (NDRV) of the premises. You can find the NDRV of a premises at [www.gov.uk/correct-your-business-rates](http://www.gov.uk/correct-your-business-rates). These are divided into 5 bands:

<b>Band</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>Non-domestic rateable value</b>	£0 - £4300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 and over

### **New and Variation Application Fees**

Fees for new or variation applications for premises licences and club premises certificates are as below:

<b>Rateable value bands</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Main Application Fee	£100	£190	£315	£450	£635

However, the fees for new or variation applications for premises licences and club premises certificates where (a) the premises are in Band D or in Band E; and (b) the premises are used exclusively or primarily for the supply of alcohol on those premises, are as below:

<b>Rateable value bands</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Main Application Fee	n/a	n/a	n/a	£900	£,1905

Also, new or variation applications for premises licences and club premises certificates where the capacity of the premises will exceed 5,000 are subject to additional fees. Please see Regulation 4(4) and 4(5) of the [www.legislation.gov.uk/ukxi/2005/79/contents/made](http://www.legislation.gov.uk/ukxi/2005/79/contents/made) for details.

Community buildings (schools, colleges, church halls, village halls and similar) are exempt from paying an application fee, provided there is no sale of alcohol or late night refreshment. For more information, please contact the Licensing Team.

### **Other Fees**

<b>Type of application</b>	<b>Fee due</b>
Minor variation of premises licence or club premises certificate	£89
Application to vary licence to specify individual as premises supervisor	£23

Application to transfer premises licence	£23
Interim Authority Notice	£23
Notice of interest in any premises	£21
Application for copy of licence, certificate, summary or TEN due to theft or loss	£10.50
Notification of change of name or address (personal or premises licence)	£10.50
Notification of change of name or alteration of club rules	£10.50
Change of relevant registered address of club	£10.50
Application for a personal licence	£37

### **Advertising the application**

**For new premises licence and club premises certificate applications, provisional statements and variation applications**, the applicant must advertise the application on a public notice displayed at the premises and in a local newspaper. A template for the notice is available on the councils' websites.

The public notice must be displayed prominently at the premises where it can be conveniently read from the exterior of the premises for a period of no less than 28 consecutive days starting on the day following the day the application was served on the licensing authority. In the case of a premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements must be placed every fifty metres along the external perimeter of the premises abutting any highway.

The notice shall be:

- (a) Of a size equal or larger than A4;
- (b) Of a pale blue colour; and
- (c) Printed legibly in black ink or typed in black in font size of 16 or bigger.

The applicant must also advertise their application in a local newspaper circulating in the local area. The newspaper notice must be published during the period of 10 working days starting on the day after the day on which the application was given to the licensing authority.

Both the newspaper notice and the public notice must contain the following information:

- (a) The licensable activities proposed to take place at the premises;
- (b) The name of the applicant;
- (c) The postal address of the premises, or if not applicable a description of the premises concerned;
- (d) Details of where the licensing authority's register is held and where it can be inspected (at the relevant council, address as per front page of this document, during normal office hours);
- (e) The closing date for representations to be received;
- (f) A statement that all representations must be made in writing;
- (g) A statement that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is unlimited

**Please note that the date for (e) is calculated as 28 days from the day after the day on which the application was served on the licensing authority and all responsible authorities. The Licensing Team will formally confirm this date within 2 working days of receipt of the application and we recommend you await this confirmation before placing the notice in the local newspaper.**

**For minor variation applications**, the applicant must advertise the application on a public notice displayed at the premises. The requirements for the public notice are as above, but the notice should be on white paper and should be displayed for 10 working days rather than 28 days. The date for (e) will be 10 working days starting on the day after the day on which the application was served on the licensing authority. There is no need to place a notice in a local newspaper for minor variation applications.

### **What happens after the application has been submitted?**

For new and full variation applications for premises licences, club premises certificates and provisional statements, the Licensing Team will contact the responsible authorities to ensure they have received

their copies of the application. The application will be deemed invalid if it has not been properly served on all responsible authorities.

Where a complete application form has been submitted with the appropriate fees and other paperwork, the appropriate notices are published and displayed as required, and no representations are received within the 28 day consultation period, the licence will be granted.

If a relevant representation is received, the licensing team will try to arrange a mediation meeting between the relevant parties to try and find a reasonable compromise. If this informal process is unsuccessful, a hearing before a Licensing Panel will be held to which all relevant parties will be invited. The sub-committee will determine the application.

For minor variation applications, the licensing authority must consider whether the variation could impact adversely on the licensing objectives. The licensing authority may take into account any representations received and advice from responsible authorities and will make a decision within 15 working days beginning on the first working day after the authority received the application. There is no right to a hearing in respect of minor variation applications.

Where a decision is made, an applicant will be informed of their rights of appeal.

### **Annual Fees**

If a premises licence or club premises certificate is granted, the holder of the licence or certificate is required to pay an annual fee as set out below:

<b>Rateable value bands</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Annual Fee	£70	£180	£295	£320	£350

However, where (a) the premises are in Band D or in Band E; and (b) the premises are used exclusively or primarily for the supply of alcohol on those premises, the holder of the licence or certificate shall pay an annual fee as set out below:

<b>Rateable value bands</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Annual Fee	n/a	n/a	n/a	£640	£1,050

Also, where the capacity of the premises exceeds 5,000 the holder of the licence or certificate must pay an additional fee. Please contact the Licensing Team for details.

Please note that a failure to pay the annual fee may result in suspension of the premises licence or club premises certificate.

Community buildings (schools, colleges, church halls, village halls and similar) are exempt from paying an annual fee, provided there is no sale of alcohol or late night refreshment. For more information, please contact the Licensing Team.

## **Model Conditions**

As mentioned previously in this document, within an application for a new premises licence or club premises certificate, the applicant must submit an 'operating schedule' which should contain details of the steps they intend to take to promote the four licensing objectives. This section includes model conditions which could be used by applicants within their operating schedule.

The applicant should carefully consider what they include in this section as the steps may become a condition of the licence/certificate, and breach of conditions is an offence under the Licensing Act 2003. Conditions will not be attached where this would duplicate matters addressed within other legislation.

In addition to any mandatory conditions required by law, the licensing authority will only attach conditions that are consistent with the operating schedule and any other conditions imposed as a result of a panel hearing to determine the application. Each application for a licence will be considered on its own merit. It is recognised that proposed conditions will differ due to the individual circumstances of the premises and will depend on a range of factors, including the nature and style of the premises, its location, the activities taking place there and anticipated clientele.

## **General – All Licensing Objectives**

- 1) For large-scale events with 500+ persons attending, a written Event Management Plan shall be submitted to the council which shall set out how the event shall be managed and the precautions which have been taken to cater for all reasonably foreseeable contingencies and which shall demonstrate the procedures, roles and specific responsibilities of the management team, security and associated personnel. The draft version of the plan shall be submitted at least two months prior to the commencement of the event, and the final version of the plan shall be submitted at least 14 days prior to the commencement of the event.
- 2) The licence holder or their nominated representative shall engage with any appropriate local scheme for information sharing with other local businesses and police (e.g. Pubwatch).

## **Part A - Conditions Relating to the Prevention of Crime and Disorder**

### **Door Supervisors**

- 3) A written record shall be kept in respect of all door supervisors working at the premises containing the following information:
  - a) Name
  - b) SIA registration number;
  - c) Dates and times at which door supervisor commenced and finished duty
  - d) Details of any incident involving crime and disorder or public safety in which the door supervisor is involved, including calls to police and any action taken.

This record shall be kept at the premises for a period of not less than six months and be available for inspection on request by any authorised officer of the council or Thames Valley Police.
- 4) The requirement for door supervisors to be engaged on duty shall be risk assessed. A written risk assessment shall be carried out by the licence holder, DPS or a nominated representative and produced upon request to authorised officers of the council and Thames Valley Police.
- 5) Any door supervisors working at the premises shall be clearly identifiable and wear high-visibility armbands to display their SIA badge.
- 6) There shall be a minimum of (*number*) door supervisors on duty at the premises at all times during opening hours / licensable activities / when under-18s are present on the premises (*delete as appropriate*).
- 7) There shall be a minimum of one female door supervisor on duty at the premises at all times during opening hours.

### **Illegal Drugs and Offensive Weapons**

- 8) The management of the premises shall devise, implement and maintain a written policy relating to the prevention of illegal drugs, offensive weapons and any other illegal products or contraband goods. This policy shall include, but not be limited to staff training, searching, confiscation, storage and disposal of seized items. The policy shall be made available upon request to an authorised officer of the council and Thames Valley Police.

### **Glass and Containers of Alcohol**

- 9) No glassware, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar.
- 10) No customers carrying open containers of alcohol shall be admitted to the premises at any time when the premises are open to the public.
- 11) Customers shall be prevented from taking any glasses or open bottles from the premises. Signage shall be displayed at all exits to inform customers of this requirement.
- 12) Drinking vessels shall be made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.
- 13) The management of the premises shall ensure that glassware is collected every 30 minutes so as to ensure said glassware is not used as projectiles or weapons.

### **CCTV**

- 14) A digital CCTV system shall be installed and maintained in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall ensure all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points and external areas, and should ensure frontal identification of every person entering and in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with accurate time and date stamping. Any breakdown or system failure shall be notified to Thames Valley Police immediately and remedied as soon as practicable. A member of staff trained in data retrieval and viewing from the CCTV system shall be available at all times when the premises is open to the public. Recordings shall be made available to an authorised officer of Thames Valley Police or an authorised officer of the council together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available within 48 hours. Any request from Thames Valley Police, Trading Standards or the council for a copy of the CCTV recording to be made for evidential purposes shall be carried out within 48 hours. Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

### **Access, and Dispersal**

- 15) The last permitted entry time to the premises on any given night shall be one hour prior to the venue's closing time, with the exception of re-entry.
- 16) The management of the premises shall devise and implement a written policy to control the access and exit of persons to and from the premises. The policy shall include, but not be limited to ejections and dispersal. The policy shall be made available upon request to an authorised officer of the council and Thames Valley Police.
- 17) The supply of alcohol shall cease (insert) minutes prior to the closure of the premises and a winding down period with quieter music shall be implemented.
- 18) Provision shall be made for customers leaving the premises to have access to local transport providers and information.

### **Staffing and Right to Work**

- 19) The management of the premises shall devise, implement and maintain a written policy for the provision of appropriately qualified and trained staff at the premises, which shall be made available upon request to an authorised officer of the council and Thames Valley Police.
- 20) The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members at the premises and these be shall made available upon request to an authorised officer of the council and Thames Valley Police.

### **Alcohol Sales**

- 21) No cans of beer, lager and cider above 6% ABV shall be sold on the premises at any time except for products identified as premium craft beers.
- 22) The management of the premises shall have available on the premises originals or legible copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding three months, which shall be made available upon request to an authorised officer of the council, Trading Standards and Thames Valley Police.
- 23) All staff employed in the sale of alcohol shall be trained in respect of identifying signs of intoxication, conflict management, identifying signs of drugs use and safeguarding vulnerable persons who attend the premises. Such training sessions are to be documented and refreshed every six months. Records of training shall be kept for a minimum of one year and shall be made available upon request to an authorised officer of the council and Thames Valley Police.
- 24) In the absence of the designated premises supervisor, a personal licence holder shall be on the premises at all times when alcohol is available for sale.
- 25) There shall be at least two members of staff on duty at the premises at all times, one of whom shall be a personal licence holder.
- 26) All staff responsible for alcohol sales shall be able to converse with members of the public and relevant agencies in English.
- 27) Any special promotions and events should be risk assessed including reference to the potential to cause crime and disorder. A written risk assessment shall be carried out by the licence holder, DPS or a nominated representative and produced upon request to authorised officers of the council and Thames Valley Police.

### **Incident Log**

- 28) Any incident at the premises which impacts any of the four licensing objectives shall be recorded in a register kept at the premises and shall contain the following information:
  - a) time and date
  - b) exact location
  - c) nature of incident
  - d) name of staff members or door supervisors involved
  - e) name of any offender (where known)
  - f) action taken as a result of the incident
  - g) name of member of staff recording the incident

This record shall be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the council or Thames Valley Police. The record should be signed off by the DPS or a nominated representative at least once a week.



## **Part B - Conditions Relating to Public Safety**

### **Capacity**

- 1) The capacity of [*please insert areas*] shall be restricted to [*please insert numbers*].
- 2) The total number of patrons permitted on the premises shall be risk assessed. The risk assessment shall be produced to authorised officers of the council and Thames Valley Police upon request.
- 3) A suitable method of determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted capacity is not exceeded.
- 4) A notice shall be displayed prominently at the entrance to the premises indicating the maximum number of persons permitted on the premises (or any particular part of the premises) at any one time.

### **Means of Escape**

- 5) All exit doors shall be available at all times when the premises is open to the public without the use of a key, code, card or similar. Exit doors shall be regularly checked to ensure they function satisfactorily.
- 6) Safety checks shall be carried out before the admission of the public, and these should be recorded in a log book available on request to an authorised officer of the council.

### **Disabled access**

- 7) The licence holder shall ensure that whenever disabled persons are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency.

### **Safeguarding**

- 8) The management of the premises shall ensure that all staff - including door supervisors - are trained to recognise vulnerable people who may be impaired in some way and may need assistance. The premises shall provide a safe space for such individuals.
- 9) The management of the premises shall ensure that all staff, including door supervisors, are trained to provide reasonable assistance to persons who are leaving the premises, such as contacting taxi companies or making Street Pastors (where available) aware of any potential concerns.
- 10) There shall be no external advertising of the availability of alcohol on the premises, such as window displays.

### **Emergency Procedures**

- 11) Staff with specific responsibilities in the event of fire or other emergency shall receive training and written instruction appropriate to their role and documented records of such training and instruction shall be kept.
- 12) A dedicated staff member trained in first aid shall be in attendance at the premises at all times. An appropriate number of first aid kits shall be maintained and available at all times.
- 13) Access routes for emergency vehicles shall be kept clear and free from obstruction.

### **Special Risks**

- 14) Any event involving pyrotechnics, fireworks, lasers, firearms, real flame, explosives or any other flammable material, shall be risk assessed. The risk assessment shall be in written format and provided at least 28 days before any proposed event to authorised officers of the council, Thames Valley Police and any other relevant agency (for example the fire service).

- 15) Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the council and subject to the provisions set out below:
  - a) Firearms and replica firearms, including blank ammunition, shall be stored in a secure area to the satisfaction of the council and Thames Valley police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. shall also be accounted for.
  - b) Storage areas and containers used shall be indicated by the explosive/inflammable symbol on the door or lid.
- 16) Cylinders for the storage of compressed air, oxygen, or other gases or liquids under pressure shall not be used except with the consent of the council. At least 14 days' notice shall be given to the council of any proposal to use such apparatus.
- 17) Signs shall be prominently displayed at the entrance to the premises where appropriate to advise the public of details of any special effects to be used during performances.
- 18) At least 14 days' notice shall be given to the council and Fire Service of any proposal to allow flammable films on the premises.
- 19) At least 14 days' notice shall be given to the council in respect of any entertainment which involves any live animal, bird or fish in a performance on the premises.

### **Seating**

- 20) In no circumstances shall anyone be permitted to:
  - a) sit in the gangway;
  - b) stand or sit in front of the any exit; or
  - c) stand or sit on any staircase including any landings.
- 21) Any drinks to be consumed by a closely-seated audience shall be supplied in plastic/paper containers.
- 22) If tiered seating is provided, the back of the highest level and the ends of the rows shall be provided with an effective safety barrier to the satisfaction of the council.

### **Indoor Sports Events**

- 23) The licence holder shall ensure that an appropriate number of qualified medical practitioners are on the premises for the duration of any event involving boxing, wrestling, judo, karate, mixed martial arts or entertainment of a similar nature.
- 24) For boxing and wrestling entertainment, or entertainment of a similar nature, any ring shall be constructed and inspected by a competent person, and no member of the public shall occupy a seat within 2.5 metres of the ring.
- 25) For water sports events, staff appropriately trained in safety and rescue shall be on the premises for the duration of the event.

## **Part C - Conditions Relating to the Prevention of Public Nuisance**

### **Noise and Vibration**

- 26) The management of these premises shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance, amounting to a nuisance, to local residents or businesses.
- 27) The management of these premises shall devise and implement a written noise management policy, which shall be made available upon request to an authorised officer of the council, Environmental Health and Thames Valley Police.
- 28) During any regulated entertainment, or in any case after (*time*), all external doors (including lobby doors) and windows to the premises shall remain closed, other than for access and egress.
- 29) Any sound amplification equipment shall be routed through a noise limiter device. The device shall be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the council]. The unit shall be secured to prevent tampering and the limiter shall not be altered without prior agreement of the council or Environmental Health.
- 30) Prominent, clear and legible notices are to be displayed and maintained at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. All reasonable steps shall be taken to ensure that people entering or leaving the premises do so in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.
- 31) No customers shall be permitted to remain on the premises between (*time*) and (*time*).
- 32) Staff shall actively discourage and disperse persons who congregate outside the premises so as to minimise disturbance to local residents.
- 33) During operating hours, the DPS or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.

### **Use of outside areas**

- 34) All outside areas shall be closed to customers after (*time*) with the exception of the external smoking area [as identified on the plan]. This area shall be monitored by the DPS or nominated staff to ensure noise is kept to a minimum so as not to cause nuisance to residents.
- 35) There shall be no consumption of food or drink in the outside areas of the premises after (*time*).
- 36) All external tables and chairs shall be removed by (*time*) each night.
- 37) No speakers or amplification equipment shall be provided in external areas of the premises.

### **Monitoring**

- 38) The external areas of the premises shall be monitored by the DPS or a nominated person every 30 minutes from the start of any regulated entertainment and for a further 30 minutes after the permitted closing time of the premises, to ensure there is no noise which is likely to cause a nuisance to local residents. The monitoring log shall set out as a minimum: time and date of observation, observer, observation, action taken to resolve situation, 0 = satisfactory level of noise, unlikely to cause disturbance, up to 5 = severe disturbance. The log shall be kept at the premises and made available upon request by authorised officers of the council, Environmental Health and Thames Valley Police.

### **Outdoor events**

- 39) The licence holder or their nominated representative shall have full control over the sound amplification equipment. The volume and tone shall be adjusted accordingly to the requirements of Environmental Health or the council.
- 40) The specification, location and orientation of all permanently fixed speakers shall be agreed with Environmental Health or the council.
- 41) Noise emanating from regulated entertainment at any outdoor event shall not exceed [insert noise limits] as measured as measured 1 metre from the façade of the nearest noise sensitive premises. The noise level shall be measured as an LAeq, 15 minutes.
- 42) During all outdoor events the received music noise level (MNL) (LAeq 15mins) measured 1m from the façade of the nearest noise sensitive premises shall not exceed the background noise level (L<sub>90</sub>) by more than 15dB(A).
- 43) Music Sound Pressure Levels (SPL) measured at the sound mixing desk(s) shall not exceed [insert limit].
- 44) At least 14 days' notice shall be given to the council in respect of any entertainment involving the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.

### **Light Pollution and Odour**

- 45) Flashing or bright lights which cause a nuisance to nearby properties shall not be permitted.
- 46) All external lighting shall be positioned in such a way so as not to disturb or intrude upon local residents or businesses. Lighting shall be switched off at (*insert hours*).
- 47) Noxious smells shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

### **Leaflets and Fly Posting**

- 48) No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises, or in the vicinity of the premises.
- 49) The premises licence holder shall ensure that advertising or promotional material for licensable activities at the premises is not placed on any street furniture or structure on the public highway not belonging to the premises licence holder.
- 50) No poster, advertisement, or similar which is unsuitable for general exhibition shall be displayed in a public place. If the licence holder is notified by the council in writing that it objects under this rule to a poster, advertisement or similar it shall not be displayed, sold or supplied.

### **Waste and Cleansing**

- 51) The immediate vicinity outside of the premises and any external areas associated with the premises shall be kept clear of litter.
- 52) Notices shall be displayed in prominent positions to ask patrons to dispose of their rubbish in the bins provided.
- 53) An adequate number of waste receptacles for use by patrons shall be provided and emptied at appropriate intervals.
- 54) All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 07:00 hours.

- 55) All packaging and utensils for use by customers shall be made of biodegradable or recyclable materials.

## **Part D - Conditions Relating to the Protection of Children from Harm**

### **Access for Children to Licensed Premises**

It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there. It is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5 am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice.

### **Age Restrictions**

- 56) Persons under the age of 18 shall not be admitted to the premises at any time / between the hours of (*time*) and (*time*).
- 57) Persons under the age of 18 shall only be admitted to the premises if they are accompanied and supervised by an adult whilst on the premises.
- 58) Persons under the age of 18 shall not be admitted to the premises when adult entertainment is taking place.
- 59) Films shall be classified in the following way:
- Universal (U) – suitable for audiences aged four years and over.
  - Parental Guidance (PG) – some scenes may be unsuitable for young children.
  - 12A – passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
  - 15 – passed only for viewing by persons aged 15 years and over.
  - 18 – passed only for viewing by persons aged 18 years and over.
- 60) Where a programme includes a film recommended by the council as falling into an age restrictive category, no person appearing to be under the age specified shall be admitted to any part of the programme. Where a programme includes a film recommended by the council as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on duty provided the written consent of the person's parent or legal guardian has first been obtained.

### **Performances for or involving children**

- 61) During entertainment presented especially for under-18s, a member of staff shall be stationed in each area occupied by children, and in the vicinity of each exit, so that on each level occupied by children the minimum number of responsible adult members of staff on duty shall be one for every 50 children or part thereof.
- 62) During entertainment aimed specifically at under-18s, there shall be a minimum of two door supervisors on duty at all times including at least one female door supervisor.
- 63) Any supervisors and chaperones at performances for children shall be appropriately checked by the Disclosure and Barring Service or any equivalent body.
- 64) Children shall be kept under adult supervision at all times, including transfer between stage and dressing room and anywhere else on the premises.

- 65) Measures shall be put in place to ensure that the children can be accounted for at all times in case of an evacuation or emergency.

### **Age Verification Policy**

- 66) The licence holder or their nominated representative shall devise, implement and maintain a Challenge 25 policy as part of their policy relating to alcohol sales. Clear signage relating to the policy shall be displayed at the premises. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification.
- 67) All staff employed (whether paid or unpaid) in the sale of alcohol shall be trained in respect of the law relating to the sale of alcohol, proxy purchases, identification checking, the company's proof of age policy and the procedure on handling and recording refusals. Refresher training shall be carried out every six months. Such training sessions are to be documented and records shall be kept for a minimum of one year and be made available upon request to an authorised officer of the council, Trading Standards and Thames Valley Police.

### **Refusals Log**

- 68) A refusal register (written or electronic) shall be maintained at the premises to record sales of age restricted products that have been refused. The register is to be made available upon request by Thames Valley Police, Trading Standards Officers and Licensing Officers. The register should include details of the time, date, member of staff refusing the sale, reason for refusal (for example intoxication or underage) and a brief description of the person refused.

### **Provision of Alcohol**

- 69) Alcohol shall be kept behind the kiosk/counter with no public access to this area.
- 70) All alcoholic products shall be labelled to identify the premises from which it was sold.
- 71) The premises shall at all times operate as a restaurant, with waiter and waitress service to tables, serving substantial food where alcohol is only sold ancillary to said food order. There shall be no vertical drinking permitted at the premises.

### **Safeguarding and Child Sexual Exploitation**

- 72) All cash transactions for hotel bookings shall require photographic identification from the person making the booking. Only a valid British drivers' licence showing a photograph of the person, a valid passport, proof of age card showing the 'Pass' hologram or military identity cards are to be accepted as identification for the purposes of this condition.
- 73) The management of the premises shall ensure that all staff complete training in safeguarding and child sexual exploitation that is of a standard agreed with Thames Valley Police and the council within 28 days of employment. Refresher training shall take place every six months. Signed records of all training shall be maintained for at least two years, and be made available upon request to an authorised officer of the council and Thames Valley Police.

### **Alcohol Delivery Services**

- 74) Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode. The delivery shall only take place only if the person receiving the alcohol is inside the property, or inside a communal doorway, and able to prove to the person delivering the alcohol they are a resident or employee at the premises. Alcohol shall not be delivered to a person who is in a public place e.g. in a street, a park etc. and no sales shall take place directly from the delivery vehicle.
- 75) All payments for alcohol to be delivered shall be made by credit card only. Upon receipt of an order including alcohol to be delivered, the customer shall be clearly advised that the delivery shall only be made to the person named on the credit card and that if they appear to be under the age of 25

they shall be required to produce an approved form of identification, the name of which corresponds with the name on the credit card. Failure to provide the requested identification and or credit card shall result in non-delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.

76) For every delivery a customer shall sign a delivery note which shall contain:

- a) Date & time
- b) Name of person making order
- c) Address of delivery
- d) Details of ID provided if Challenge 25 policy applies
- e) Items delivered
- f) Member of staff making delivery

Delivery notes shall be kept and made available for inspection by Thames Valley Police or authorised officer of the council for 6 months from the date of delivery.